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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,791	12/20/2000	Stephen J. Schmid	SCG-010US	8455

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VALLEY FORGE, PA 19482-0980

EXAMINER

CHARLES, DEBRA F

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/742,791

Applicant(s)

SCHMID, STEPHEN J.

Examiner

Debra F. Charles

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 7,8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al.(U.S.PAT. 6047274 A), Levine et al. (U.S.PAT. 6233566 B1) and Maritzen et al.(U.S.PAT. 5870719A).

Re claims 1, 7 and 9: Johnson et al. disclose a computer assisted method for negotiating(col. 15, lines 1-15, Claim 41)

a) collecting data(col. 7, lines 20-40, claim 1);

b) electronically notifying a plurality of participants of the requested transaction and inviting each participant to electronically submit a corresponding request for quotes for the transaction to provide a respective plurality of requests for quotes(col. 7, lines 5-23, Claim 25 and 26);

c) providing the plurality of requests for quotes in electronic form for review(col. 9, lines 10-50, claim 29);

e2) displaying to each participant information on the request for quote and the best terms from among the multiple requests for quotes(col. 9, lines 30-65); and

e3) presenting each participant with options to improve their corresponding request for quote(Abstract, col. 6, lines 20-55);

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f) receiving a selection from the participant of one request for quote of the multiple requests for quotes (col.7, lines 20-25, i.e. assumes the moderator did get a request for quote from a user who is going to obtain the product or service).

Johnson et al. disclose(s) the claimed invention except loans on behalf of a borrower, describing a requested loan transaction from the borrower e1) displaying the multiple requests for quotes to the borrower. However, in Abstract, col. 7, lines 25-65, col. 10, lines 20-45 thereof, Levine et al. disclose(s) loans created for the borrower and displaying data to users on the GUI screen. It would be obvious to one of ordinary skill in the art to modify the invention of Johnson et al. based on the teachings of Levine et al. The motivation to combine these references is Levine et al. extends Johnson et al.'s functionality by using loans as the negotiated commodity.

Johnson et al. and Levine et al. disclose(s) the claimed invention except d) receiving multiple requests for quotes selected from the plurality of requests for quotes, and inviting the corresponding participants to participate in a final quote event; and e) conducting the final quote event among the borrower and the chosen participant. However, in col. 1, lines 45-67, col. 3, lines 65-col. 4, line 45, col. 6, lines 45-67 thereof, Maritzen et al. disclose a multiple tier quote system that produces final quotes in which the users are permitted to make a request for many quotes. It would be obvious to one of ordinary skill in the art to modify the

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invention of Johnson et al. and Levine et al. based on the teachings of Maritzen et al. The motivation to combine these references is Maritzen et al. extends Johnson et al. and Levine et al.'s functionality by adding a multiple tier auction system where quotes move from the first stage to the final stage.

Re claim 2: Johnson et al. and Levine et al. disclose(s) the claimed invention except web and internet for form display. However, in Fig. 5, col. 3, lines 1-35, col. 4, lines 25-45 thereof, Maritzen et al. disclose(s) web-based internet display on the internet. It would be obvious to one of ordinary skill in the art to modify the invention of Johnson et al. and Levine et al. based on the teachings of Maritzen et al. The motivation to combine these references is to internet and web-enable the quote and bid system.

Re claim 8: Johnson et al. and Levine et al. disclose(s) the claimed invention except an e-mail system on the global information network. However, in col. 8, lines 35-55, thereof Maritzen et al. disclose using email on the web to send quote information. It would be obvious to one of ordinary skill in the art to modify the invention of Johnson et al., Levine et al. and Bisbee et al. based on the teachings of Maritzen et al. The motivation to combine these references is to enable emailed quote information.

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3. Claims 3, 4, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al., Levine et al. and Maritzen et al. as applied to claim 1 above, and further in view of Bisbee et al.(U.S.PAT. 62370966 B1).

Re claims 3, 5 and 6: Johnson et al., Levine et al. and Maritzen et al. disclose(s) the claimed invention except ordering any third party, receiving the ordered third party documents, converting the received documents to electronic form and providing the documents for review and electronic signatures along with electronic commitment letter; and electronic legal documents. However, in the Abstract, Fig. 1, 6b, 7, col. 2, line 65-col. 50, thereof Bisbee et al. disclose electronic documents with certification and signature verification. It would be obvious to one of ordinary skill in the art to modify the invention of Johnson et al., Levine et al. and Maritzen et al. based on the teachings of Bisbee et al. The motivation to combine these references is to enable electronic document transfer.

Re claim 4: Johnson et al., Levine et al. and Bisbee et al. disclose(s) the claimed invention except step b) includes sending an electronic mail (e-mail) message to the plurality of participants. However, in col. 8, lines 35-55, thereof Maritzen et al. disclose using email on the web to send quote information. It would be obvious to one of ordinary skill in the art to modify the invention of Johnson et al., Levine et al. and Bisbee et al. based on the teachings of Maritzen et al. The motivation to combine these references is to enable emailed quote information.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (703) 305-4718. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra F. Charles  
Examiner  
Art Unit 3628

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